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E.O. 12958: DECL: 2020/02/18

TAGS: [PARM](#) [KACT](#) [MARR](#) [PREL](#) [RS](#) [US](#)

SUBJECT: SFO-GVA-VIII: (U) MEMORANDUM OF UNDERSTANDING WORKING GROUP  
MEETING, FEBRUARY 5, 2010

REF: 10 GENEVA 73 (SFO-GVA-VIII-011); 10 GENEVA 83 (SFO-GVA-VIII-020)

CLASSIFIED BY: Rose A. Gottemoeller, Assistant Secretary, Department  
of State, VCI; REASON: 1.4(B), (D)

[1](#)1. (U) This is SFO-GVA-VIII-021.

[1](#)2. (U) Meeting Date: February 5, 2010

Time: 3:30 P.M. - 6:00 P.M.

Place: U.S. Mission, Geneva

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SUMMARY  
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[1](#)3. (S) During a meeting of the Memorandum of Understanding (MOU) Working Group (WG), the U.S. and Russian chairs, joined by Assistant Secretary Gottemoeller and Ambassador Antonov, discussed the specifics of the initial data exchange for the Treaty. Additionally, the chairs discussed Sections I and II of Part Two of the Protocol and a U.S. proposal on mobile ICBMs. The Russian side maintained its position that the Parties would not be obligated to provide numerical data for items by base during the initial exchange of data 45 days after treaty signature. On the issue of mobile ICBMs, the Russian side rejected an informal proposal to resolve the issue of Russia providing coordinates for the

boundaries of mobile ICBM bases. They asserted that Moscow's acceptance of unique identifiers (UIDs) was linked to the U.S. abandoning any and all restrictions focused on mobile ICBMs. End summary.

14. (S) SUBJECT SUMMARY: Russia Will Provide Limited Data in Initial Data Exchange; Sections I and II; Other Database Issues; and Russians Reject a Mobile Base Size Limitation Deal.

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RUSSIA WILL PROVIDE LIMITED DATA IN INITIAL DATA EXCHANGE  
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15. (S) Mr. Trout stated the meeting would first focus on the question of the initial exchange of data between the Parties. He noted that the last meeting (Ref A) had revealed significant differences in understanding between the sides regarding what would be provided in the initial data exchange. He asked for confirmation that the Russian position was to exchange from Sections III through V of the MOU only the aggregate data, which would not include any data by base. He pointed out that the U.S. position was to populate all data in these sections with July 2009

MOU data with the exception of warhead, geographic coordinate and UID data.

16. (S) Gen Orlov responded that the U.S. position at the previous session had surprised the Russians. He remarked that the sides had agreed to the database structure well before and that all Russian-proposed changes had been reflected in the Joint Draft Text (JDT). Orlov noted that while the U.S. side continually made reference to requiring the data exchange before submitting the treaty for ratification, the Russian side had stated during the last negotiating session in 2009 that Russia saw no need to provide data for individual bases (in Sections III through V) in the initial exchange. The U.S. side, he pointed out, had expressed no objections to this position at the time, which explained the Russian side's surprise that the sides did not understand each other. Orlov noted the sides had discussed the possibility of exchanging only aggregate data for Sections III through V, but withholding warhead data, which the U.S. side had initially proposed. What, he queried, was the U.S. position on this?

17. (S) Trout replied that the U.S. position was to require the exchange of data on individual bases in the initial tranche of data. This would give the sides a full picture and would help in preparing the treaty for ratification. The Parties would, under this model, exchange July 2009 MOU data at signature, and then provide current data at the entry into force (EIF) exchange. He noted that the U.S. side had compromised by proposing that only July 2009 START data be exchanged 45 days after signature, vice the initial U.S. position that data current as of signature be exchanged.

18. (S) Orlov countered that if the United States had read carefully the Russian-proposed chapeau to Paragraph 2 of Section I, it was clear that Russia had consistently proposed exempting data for individual bases for the initial exchange. This, he noted, had been the Russian position from the beginning of the negotiations.

¶9. (S) Trout responded that, reading the Russian text, non-deployed systems were not listed as an exclusion. Why then, would Russian include information on non-deployed systems but not deployed systems? He explained that the United States had thought that the Russian-proposed chapeau referred to overall aggregate data, rather than detailed data.

¶10. (S) Orlov questioned why the United States needed any data for Sections III through V beyond the aggregate data. Trout responded that the United States needed it for ratification. But, by that logic, Orlov continued, why should the Parties withhold any information from the database? Why exclude coordinate, UID, and warhead information? Trout replied that, when the United States and the Soviet Union had negotiated START the sides exchanged MOU data months before signature. That initial exchange had not included coordinates or UIDs, which was considered sensitive information. Thus, in following this practice, the sides would be

continuing the historical precedent set by the Intermediate-Range Nuclear Forces (INF) and START Treaties. Orlov countered that the sides should focus on the START Follow-on treaty. He added that he could not understand the U.S. ratification argument. What, he pressed, was the logic for excluding UIDs, warheads and coordinates, but demanding detailed base-by-base data? He reminded Trout this information would be exchanged in any case after EIF.

¶11. (S) Trout responded that the Executive Branch would need to certify to the Senate that the treaty could be verified based on the information in the database given to the Senate. The United States would need detailed information in order to provide this assurance. Orlov pointed out that he could say that ratification was an internal U.S. affair. Did Trout see Orlov talking about problems with ratification in the Duma? Regardless, he argued, there would be sufficient data to be shown to the Senate.

¶12. (S) Trout asked what, beyond the aggregate data for each base, the Russians would be prepared to give. Orlov replied that Russia would give all information found on the left side of the database. He explained that this meant the Parties would not be obligated to provide numerical data, UIDs, coordinates, and other such sensitive data. (Begin comment: The left side of the database lists names of bases, launcher names, and silo launcher groups. End comment.)

¶13. (S) General Poznikhir noted the U.S. side had posted some Russian data on the Department of State website. He proposed that the sides exchange after signature all the data that had been listed on the website. Both sides would then have the treaty aggregate limits; detailed type information; deployed and non-deployed data on ICBMs, SLBMs, and heavy bombers; and some information on facilities at which strategic offensive arms would be located. The Russians saw no need, he continued, to indicate the number of launchers at a given base, though the name of the base and the types of strategic offensive arms located at the base would be given.

¶14. (S) Trout asked for clarification, stating that he thought that Orlov had said the sides would exchange individual silo and SSBN information. Orlov, appearing to correct Poznikhir, said that Trout was correct--the Parties would exchange individual silo and SSBN information. He repeated that the Parties would exchange information on the left side of the database. Trout then went through each individual base type (silo ICBM, mobile ICBM, SLBM and heavy bomber) and reviewed what would be exchanged. After this review, and Orlov's acquiescence to it, Trout said he understood Orlov's proposition.

¶15. (S) Antonov interjected to ask whether the U.S. side was satisfied by the Russian explanation of their position. Were the sides, he queried, agreed? Gottemoeller responded that her understanding had been that the Parties would exchange July 2009 START MOU data 45 days after signature. This, she continued, would

simply involve plugging the July 2009 data fully into the appropriate categories. She said, however, that there might not be data to fill in every category on the right side of the database. (Begin comment: The right side of the database contains numerical data associated with the categories on the left side. End comment.)

¶16. (S) Gottemoeller described her understanding of the Russian position as that the Parties would exchange data on the left side of the database and, if the other Party wished, it could fill in the right side of the database for the other Party, using the July 2009 data. Orlov answered that each Party could do so if it wished. Following EIF, that information could then be confirmed. Gottemoeller warned that there might be some political risk to Russia if the United States were to fill in its right side data for Russia. Orlov countered that, in such an eventuality, the risk would be borne by the United States, not Russia. Gottemoeller argued that a baseline of data was important for ratification for both sides. She suggested that it seemed better for Russia to participate in the U.S. presentation to the Senate of Russian data. Orlov responded that Russia would, of course, participate.

¶17. (S) Gen Poznikhir asked whether it was really important for the Senate to know such detailed data for individual bases for its ratification deliberations. Trout answered that the Senate would wonder why a full exchange of data was conducted before START but not for the START Follow-on. Trout remarked that this would suggest that "things aren't as good as we might think." The Parties should exchange information in today's context, he added. Poznikhir noted the incongruity to the Russians of exchanging this data before EIF, and Orlov added that the Russian view was that the information they proposed to provide should be sufficient for Senate ratification. He emphasized that this was a new treaty, and that the previous accord had been negotiated under different circumstances. He urged the U.S. side not to dwell on "suspicions." Trout stated that he believed the sides understood each other's positions now.

¶18. (S) Trout agreed to the Russian position regarding the initial data exchange, but at the same time proposed that the sides exchange the data "informally" in the MOU WG before signature or, failing that, after signature but before EIF. This way, Trout contended, the sides could resolve questions in advance. Orlov, somewhat puzzled, asked if the proposal was to pass data 45 days after signature or "tomorrow?" Trout replied, "soon." Orlov pressed whether 45 days would be the rule. Trout replied that was correct, "formally." So what, Orlov queried, would an informal exchange be? Trout replied that it would be one conducted within the WG. Orlov confessed that he did not understand Trout's "informal" proposal. He said that such a proposal was "not welcome by the Russian Federation." Trout replied that he viewed this process as having worked well under START and that it smoothed the way for the formal exchange. But, he noted, it required two to exchange the information. Orlov asked Trout not to raise this proposal again, implying that it would cause difficulties for the Russian side. He said that while he had not participated in the development of the START agreement, treaty obligations should be specified in writing. He stated definitively that he opposed

preliminary exchanges and "45 days would mean 45 days," he said.

¶19. (S) LT Lobner asked to clarify the agreement the sides had reached: Section II aggregate data would include numerical data (with the exception of warhead data), while in Sections III through V the aggregate numerical data would be provided (again without warhead data), as would launcher, silo group, and such information by base, but no numerical data would be provided. Finally, the technical data in Sections VII through IX would be completely exchanged. Orlov confirmed this was correct.

¶20. (S) Gottemoeller commented that this development was interesting. She said she had been expecting that the sides would provide all of the July 2009 data arranged according to the new categories and definitions of the treaty. She stated that the United States would prepare its own version of the Russian database. She suggested that Russia might like to reserve the right to comment on that version, as it would be provided to the Senate. She commented that the Duma would likely want to know what the Senate would be looking at, especially in light of the visit to the United States of Duma member Mikhail Margelov, Chairman of the Foreign Affairs Committee of the Federation Council of Russia. She said she would be happy to discuss the proposal further or it could be discussed in the MOU WG.

¶21. (S) Orlov asked for a fuller explanation for how such a proposal would work technically. Gottemoeller responded that the sides would populate the database with July 2009 data. Each side would be responsible for providing the data due 45 days after signature. Both U.S. and Russian databases would be submitted to the Senate, and she said that she imagined the same would hold true for the Duma. In her opinion, it would be better if each side submitted complete data for their own database. She commented that, if the U.S. side were to fill out some data for the Russian database, she could envisage questions arising in the Duma as to why the United States was filling out Russian data.

¶22. (S) Orlov responded that he saw parity in the relationship here. The United States would fill out data for Russia, and the Russians for the United States. He noted that his colleague had told him that such an effort would take "15 minutes." He further remarked that the sides should not abandon the arrangements they had come to in the treaty on this score. Orlov then posed a question why the United States was insisting on filling in the base data. He contended that the Senate could be convinced to ratify the treaty without such information. Gottemoeller agreed that the United States would find a way to convince the Senate to ratify the treaty, but she urged the Russians to think about the matter. Orlov agreed to do so.

¶23. (S) Antonov sought to confirm whether the sides had reached a solution. Would the United States have sufficient data for presentation to the Senate? Did the United States understand what the Russian side would provide? Did this bring to close the

necessity of he and Gottemoeller and involving themselves in this matter? Trout replied in the affirmative. Gottemoeller and Antonov excused themselves from the meeting.

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SECTIONS I AND II  
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¶24. (S) Turning to Section I of Part Two of the Protocol, Trout

asked whether the sides were agreed on the new proposed Paragraph 3 on site diagrams and coastlines and waters diagrams.

¶25. (S) Begin text of Paragraph 3 on site diagrams and coastlines and water diagrams:

¶3. The Parties shall provide site diagrams of facilities and coastlines and waters diagrams, as applicable, for each facility listed in this Part at which inspection activities may be conducted no later than 45 days after signature of the Treaty, in accordance with the Annex on Inspection Activities to this Protocol.

End text.

¶26. (S) Orlov confirmed they agreed with the paragraph, but stated that Russia preferred to raise the prominence of the 45-day requirement within the paragraph. He also noted the U.S.-proposed JDT referred to the Inspection Annex, and asked when the language for site diagrams and coastlines and waters diagrams would be developed and whether it might be done in the Inspection Protocol Working Group (IPWG). Trout replied that the MOU WG would be developing this portion and that it was the portion that had fallen under Annex J of the MOU in START. Lobner offered to specify in the text that this reference pointed to a particular part of the Annex. Orlov objected that the United States was asking the Russian side to accept something that had not been defined, and commented that he thought that this work had been assigned to the IPWG. Trout responded he had agreed to take on the responsibility after consulting with Dr. Warner, the U.S. Chairman of the IPWG. Orlov remarked jokingly that he had not agreed to the assignment, and asked what would be in the Annex. Trout stated he planned on working on the topic the following week, and that Lobner was preparing the text for the discussion.

¶27. (S) Trout agreed to move up the 45-day provision in the new JDT of Paragraph 3. Orlov said the Russian side would place the reference to the Inspection Annex in brackets and deliberate on the issue within their delegation. On advice from the legal staff, Lobner noted that the U.S. side might break up that reference into

two sentences. Orlov urged the sides to settle on language. Mr. Dean interjected that the reference merely served as a signpost. Orlov asked whether it was necessary then, and Dean replied that it was not legally necessary but practically useful. Orlov then noted the sides' agreement and suggested discussing the question with Mr. Lobach of the Russian legal team.

¶28. (S) Orlov questioned whether the sides had agreed to a version of Paragraph 2 of Section I. Trout answered that, given the discussion and agreement just reached, it would need to be reworked. Orlov agreed, and suggested the United States accept the Russian-proposed text. Dean explained that Paragraph 2 was the link to Treaty Article VIII on data releasability. He emphasized the need to be careful to keep paragraph 2 language specific such that it protected the release of certain sensitive data. Orlov agreed.

¶29. (S) Dean asked whether the reference to "based on" July 2009 MOU data in paragraph 2 of Section I meant the entire July 2009 submission or did Russia plan to conform that data to the treaty's database. The Russian side responded that they would adjust the July 2009 data to the treaty categories. Orlov commented that, at first glance, he liked the U.S. use of the term "based on," but he



would have to think more on the issue and consult with his legal staff. He stated that subparagraphs (a), (b), and (c) of paragraph 2 were agreed. Only the chapeau of paragraph 2 and subparagraph (d) of paragraph 2 needed to be discussed further.

¶30. (S) Moving to Section II, Orlov asked where the third limit on deployed and non-deployed launchers and heavy bombers should be placed. Trout replied that based on the Russian preference as stated in the morning's Expanded Ad Hoc meeting (Ref B), the United States agreed to place the third limit in the first paragraph of Section II. Orlov agreed. Trout delivered new text addressing Sections II, III, and IV to reflect the third limit.

¶31. Begin text:

## Part Two - Section II

¶1. For each Party, the data on aggregate numbers of Strategic Offensive Arms limited by the treaty are as follows:

Deployed ICBMs, Deployed SLBMs,  
and Deployed Heavy Bombers

Warheads on Deployed ICBMs, on  
Deployed SLBMs, and Nuclear  
Warheads Counted for  
Deployed Heavy Bombers

Deployed and Non-Deployed  
Launchers of ICBMs, Deployed  
and Non-Deployed Launchers of  
SLBMs, and Deployed and  
Non-Deployed Heavy Bombers  
Equipped for Nuclear Armaments

¶2. For each Party, the data on additional aggregate numbers are as follows:

Non-Deployed ICBMs and  
SLBMs

Test Heavy Bombers

## Part Two - Section III

Deployed ICBMs

Warheads on Deployed ICBMs

Deployed and Non-Deployed

Launchers of ICBMs

Deployed Launchers of

ICBMs

Non-Deployed Launchers of

ICBMs

Test Launchers

Non-Deployed ICBMs

Part Two - Section IV

Deployed SLBMs

Warheads on Deployed SLBMs

Deployed and Non-Deployed

Launchers of SLBMs

Deployed Launchers of

SLBMs

Non-Deployed Launchers of

SLBMs

Test Launchers

Non-Deployed SLBMs

End text.

132. (S) Lobner and Pischulov discussed that Article IV language for the third limit included the words "equipped for nuclear armaments." It was noted that since the sides had not agreed on the definition for non-deployed heavy bombers, the text should be bracketed. Poznikhir remarked that this issue would be handled by



the Definitions WG. Lobner said he would leave that part of the text bracketed.

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OTHER DATABASE ISSUES

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¶33. (S) Orlov asked for the U.S. response on Russia's offer regarding pruning some categories for heavy bomber technical data in Section VIII. Trout said the United States had not reached a final position.

¶34. (S) The sides confirmed their agreement to drop the section on Heavy Bomber Nuclear Armaments Technical Data, the former Section IX.

¶35. (S) Turning to mobiles, Orlov asked whether the United States had altered its position on a 125,000 square kilometer limit for deployment areas, and a 5 square kilometer limit for basing areas. He reasserted that Russia's agreement on UIDs was linked to the lifting of restrictions on mobiles. Trout asked to discuss this issue later.

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RUSSIANS REJECT A MOBILES DEAL

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¶36. (S) In a side conversation among Trout and Orlov and Poznikhir, Trout raised the possibility of a compromise that would have Russia provide coordinates for the boundaries of ICBMs bases for road-mobile ICBMs and have the United States, in exchange, drop its limits on the size of ICBM bases for road-mobile ICBMs and ICBM basing areas in Article VI. Trout indicated he was trying to find a compromise between the Russian delegation's guidance to not accept the limit of 125,000 square kilometers for the size of ICBM bases for road-mobile ICBMs and 5 square kilometers for the size of ICBM basing areas and the U.S. guidance to include those limits in the treaty. Trout suggested that under his proposal the United States would trust Russia to declare reasonable boundaries. The point of having a boundary for an ICBM base for road-mobile ICBMs is to distinguish those road-mobile launchers that were at the base from those that were outside the base. Clearly, those outside the base would require a movement notification within 30 days of departure from the base, while those within the base would not. By having boundaries identified, there would be fewer questions raised between the United States and Russia on the movements of Russia's road-mobile launchers.

¶37. (S) Poznikhir said that as an SRF officer, he would provide their response. He said he thought the logic of Trout's argument was very good. However, it did not take into account the limitations of Russia's road-mobile force or its operating

practices. Poznikhir said that Russian road-mobile launchers would never move more than 500 kilometers on their own because of the wear on the launcher. In addition, such a movement would require a large supporting force which would be very obvious to U.S. national technical means (NTM). He said that Trout knew Russia always moved

their launchers and missiles separately between facilities, and notification of those movements was provided.

¶38. (S) Poznikhir continued that if Russia were to provide boundaries for their road-mobile ICBM bases then, based on parity, the United States would have to provide boundaries for its SSBN operating areas. He said he expected the United States would say the North Atlantic was the operating area for their SSBNs and Russia would respond that their road-mobile launcher operating area was all of Russia.

¶39. (S) Orlov said he appreciated Trout's attempt to find a compromise but there was no compromise possible. President Medvedev had said that there would not be any provisions in the treaty that dealt uniquely with Russia's mobile forces. While Trout's offer would permit Russia to set the limits of the boundary of the ICBM base for road-mobile launchers, it would still be a unique limit on Russia's mobile forces. Orlov said that General Makarov, during his meeting with Admiral Mullen in Moscow, had only agreed to using UIDs for all strategic offensive arms with the understanding that the United States would drop all treaty provisions that dealt uniquely with mobile forces, and that included ICBM base boundaries.

¶40. (S) Documents provided:

- U.S.:

-- U.S. Proposal for Section I, Paragraph 3; and

-- U.S. Proposal for Section II, III, and IV

¶41. (U) Participants:

UNITED STATES

Mr. Trout

A/S Gottemoeller

Mr. Albertson

Mr. Colby (RO)

Mr. Dean

LT Lobner

Ms. Gesse (Int)

RUSSIA:

Gen Orlov

Amb Antonov

Gen Poznikhir

Mr. Pischulov

Mr. Shevchenko

Ms. Evarovskaya (Int)

[¶42.](#) (U) Gottemoeller sends.  
GRIFFITHS